

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**CIVIL ACTION NO. 3:17-CV-30167-MAP**

RINALDO DEL GALLO, III  
Plaintiff,

v.

BOSTON MAYOR MARTY WALSH, in his  
personal and professional capacity;

BOSTON POLICE COMMISSIONER  
WILLIAM B. EVANS, in his personal and  
professional capacity;

BOSTON PARKS AND RECREATION  
DEPARTMENT COMMISSIONER  
CHRISTOPHER COOK, in his personal and  
professional capacity;

AN UNKNOWN BOSTON POLICE OFFICER  
WITH BADGE NUMBER 2578, in his personal  
and professional capacity;

AN UNKNOWN BOSTON POLICE OFFICER  
WITH BADGE NUMBER 16, in his personal  
and professional capacity;

BOSTON POLICE CAPTAIN GREELAND,

JOHN AND JANE DOES, in their personal and  
professional capacities; and

THE CITY OF BOSTON  
Defendants.

**DEFENDANTS' RESPONSE TO PLAINTIFF'S REQUEST FOR EXTENSION OF TIME**

On the morning of February 14, 2018, prior to this Court's dismissal of Plaintiff's Complaint, Plaintiff, Rinaldo Del Gallo, contacted counsel for the Defendants asking for a one-

month extension of time to respond to the Defendants' Motions to Dismiss. Defendants did not assent; instead they indicated they would not oppose a request for a two-week extension. Plaintiff did not file any request for more time with the Court.

On the afternoon of February 14, 2018, this Court allowed the Defendants' Motions to Dismiss, having received no oppositions from the Plaintiff. Now, nearly a week after this Court dismissed Plaintiff's Complaint, Plaintiff filed the instant motion requesting a one-month extension of time to respond to the Defendants' Motions to Dismiss, indicating in his L.R. 7.1 certification that the Defendants do not oppose a request for a two-week extension of time.

By way of this response, the Defendants simply seek to clarify that their willingness not to oppose a request for a two-week extension expired upon this Court's dismissal of Plaintiff's Complaint, and that the Defendants oppose any request by Plaintiff to re-open this case for purposes of opposing their motions.

Respectfully submitted:

DEFENDANTS, CITY OF BOSTON, MARTIN J.  
WALSH, WILLIAM B. EVANS, CHRISTOPHER  
COOK, AND CAPTAIN GREELAND

By their attorneys:

Eugene L. O'Flaherty  
Corporation Counsel

/s/ Nicole M. O'Connor  
Nicole M. O'Connor (BBO#675535)  
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**CERTIFICATE OF SERVICE**

I, Nicole M. O'Connor, hereby certify that a true copy of the above document was served upon all parties of record via this court's electronic filing system and upon those non-registered participants via first class mail on the date listed below.

Date: 2/20/18

/s/ Nicole M. O'Connor